



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

RB:LXN
F.#2011R02117

271 Cadman Plaza East
Brooklyn, New York 11201

January 26, 2012

By ECF & Federal Express

Richard H. Rosenberg, Esq.
217 Broadway, Ste. 707
New York, NY 10007

Re: United States v. Boyland et al.
Criminal Docket No. 11-850 (SLT)

Dear Mr. Rosenberg:

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure, the government hereby furnishes the following discovery with respect to the above-captioned case. Any additional discovery will be provided to you as it becomes available. The government hereby also requests reciprocal discovery.

A. The Defendant's Statements

Three CDs marked "Confidential Recordings" and bates numbered WB 910-912 which contain consensually recorded telephone calls and meetings involving your client and/or co-conspirators are enclosed.

B. The Defendant's Prior Record

At this time, the government is not aware of any criminal history for your client.

C. Other Tangible Evidence

In addition, please find enclosed one CD containing the following materials:

(1) Pen Register applications and orders for a mobile telephone number subscribed to by the defendant (WB 1-86);

(2) Documents, including the "White Paper" (WB 87-106); letters (WB 107-111), property records (WB 112-126) and emails (WB 666-748); and

(3) Bank records (WB 127-665).

D. Reports of Examinations and Tests

The government will provide you with copies of any reports of examinations or tests in this case, as they become available.

E. Expert Testimony

The government will comply with Rule 16(a)(1)(E) by notifying you in a timely fashion of the identity of this expert and any additional experts that the government intends to call at trial. At that time, the government will also provide a summary of the opinion and qualifications of any experts.

F. Brady Materials

The government is not aware of any exculpatory material regarding the defendant. The government understands and will comply with its continuing obligation to produce exculpatory material as defined by Brady v. Maryland, 373 U.S. 83 (1963), and its progeny.

Before trial, the government will furnish materials discoverable pursuant to Title 18, United States Code, Section 3500, as well as impeachment materials. See Giglio v. United States, 405 U.S. 150 (1972).

G. Other Crimes, Wrongs or Acts

The government will provide the defendant with reasonable notice in advance of trial if it intends to offer any material under Federal Rule of Evidence 404(b).

H. The Defendant's Required Disclosures

The government hereby requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government requests that the defendant allow inspection and copying of (1) any books, papers, documents, photographs, tapes, tangible

objects, or copies or portions thereof, which are in the defendant's possession, custody or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results of reports or physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, which are in the defendant's possession, custody or control, and which the defendant intends to introduce as evidence or otherwise rely upon at trial or which were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid any unnecessary delay, we request that you have copies of these statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony the defendant intends to use under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for those opinions, and the witnesses' qualifications.

If you have any questions or further requests, please do not hesitate to contact us.

Very truly yours,

LORETTA E. LYNCH
United States Attorney
Eastern District of New York

By: /s/
Lan Nguyen
Assistant U.S. Attorney
(718) 254-6162

Enclosures

CC: Clerk of Court (SLT) (w/o enclosures)